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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Liberation, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 January 1990]

The human rights situation in East Timor

1. This organization has been deeply troubled by human rights abuses in East Timor for many years and warmly welcomes the resolution adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-fourth session (resolution 1989/7) recommending that the Commission consider the human rights situation and fundamental freedoms in East Timor at its forty-sixth session.

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2. The organization therefore considers it its duty to inform the Commission of recent developments in East Timor, especially prior to and following the Mass celebrated by Pope John Paul II at Taci Tolu, near Dili, on 12 October 1989. It will first describe the latest abuses and then summarize reports of abuses occurring in the 12-month period before the Mass.

Developments since 12 October 1989

3. The Mass celebrated by Pope John Paul II was marked by a demonstration by dozens of people who unfurled banners in favour of independence. Those involved were certainly aware of the risks, in view of the intense security precautions surrounding the Mass. The efforts by security forces to quell the demonstrations were graphically reported in the world's media.

4. On 13 October, Bishop Belo, head of the Catholic Church of East Timor, told contacts in Australia by telephone that 40 demonstrators had been arrested and were being tortured and beaten by the military to extract confessions that would implicate the Church. He said:

> "I am shocked that the military is extracting false confessions under torture. The boys were trying to express their discontent with the situation in East Timor. It is a lie that the Church is in any way involved in the demonstration."

5. While these arrests were under way, 28 young people took refuge in the bishop's residence and remained there for several weeks, the first time that the Church had given sanctuary to so many people. These developments confirmed reports by several foreign journalists who had visited the territory on the occasion of the Pope's visit that East Timor was "in the grip of fear".

6. On 4 November, a demonstration took place outside Bishop Belo's residence in an attempt to intimidate him into forcing the sanctuary-seekers to leave. Others demonstrated in support of the bishop. Video shots taken by the security forces at the Mass helped them to identify some of the pro-Belo demonstrators as people who had unfurled banners at the Mass.

7. On 5 November, a number of people were arrested. Some are students of São José Catholic high school in Dili. They were tortured with electricity and severely beaten. Shortly afterwards, the 28 people taking sanctuary with the bishop left his residence, eight of them were immediately arrested.

8. On 15 November, a unit of soldiers armed with bayonets, reinforced by military police and four platoons from Battalion 744, surrounded the São José school and made a forced entry to carry out a search of the premises. They were apparently searching for four people connected with the school who had gone into hiding. When students tried to prevent this forced entry, the troops let off three volleys of gunfire. A student who was discovered in the school toilets was beaten so severely that he fainted. Several students fled from the school; one informed the bishop that the school was under attack, whereupon he went to the scene to intervene.

9. It is not clear how many arrests followed this unlawful armed assault on the school but, fearing a further wave of arrests, as many as 30 people took

refuge in the bishop's residence. The bishop subsequently told a Portuguese journal that these sanctuary-seekers had also left [Expresso, 6 January 1990]; the circumstances of their departure are not clear.

10. On 10 December, someone outside the bishop's residence, believed to be a taxi-driver, was kidnapped.

11. According to information from a variety of sources, there were in mid-December 1989 at least 20 people under arrest in Dili. They are mostly students from São José school and probably also from the Fatumaca Catholic school, Baucau. The actual figure could be much higher; there are a number of places being used in Dili for custody and interrogation to which local and outside observers do not have access. These include a guest-house, the headquarters of the district military command, the headquarters of Kopassus, the elite para-commando force and at least three private residences.

12. Summing up, in the last quarter of 1989, in addition to those still in custody, many dozens of Timorese were taken into custody and tortured to extract information, as part of an operation to round up all those alleged to have been involved in the 12 October demonstration.

13. According to once source, eight of those now under arrest are due to be brought to trial in January 1990. Previous trials in East Timor have taken place under conditions which violate Indonesia's own Criminal Procedures Code; defendants have had no access to defence lawyers of their choice.

14. Apart from these 12 October-related detainees, there are five convicted political prisoners in Dili's Becora prison and six in Cipinang prison, Jakarta. This information was given to the Australian ambassador during a visit to Dili in October 1989. [See letter to ACFOA from Australian Foreign Minister, Senator Gareth Evans, 23 November 1989.]

15. No information is available about political detainees being held in local army command headquarters throughout the country.

Abuses in the 12-month period before the Pope's visit

16. In late 1988, many reports were received of human rights violations in East Timor. There was a wave of arrests around the time of President Suharto's one-day visit to Dili on 1 November 1988. Although most were released after being held for short periods, their treatment under detention prompted Bishop Belo to complain in a pastoral letter on 5 December that many "were slapped, beaten and tortured", a method which, he said, had become routine in Timor. "We oppose this barbaric system and condemn the lying propaganda according to which human rights violations do not exist in East Timor".

17. On 16 February 1989, the bishop wrote to the Papal Nuncio in Jakarta to inform him of the summary execution of two people by troops of Battalion 726 in Dilor-Lacluta on 31 October 1989, the beating of seven villagers by troops of the same battalion, as well as summary executions in Ossu (four persons), Lacluta (five persons), Viqueque (one person) and Gariwai-Baucau (two persons). Clandestine sources put the number executed in Gariwai-Baucau at 20 and gave details of four other executions in Zumulai, near the border

with West Timor, at the end of 1988. This source also said that troops of Battalion 328 had killed 20 Timorese alleged to have been in contact with the armed resistance.

18. From April to June 1989, many arrests took place in Baucau, Dili and elsewhere. An East Timorese student studying in Bali was also arrested, as a result of which six others, fearing for their safety, sought asylum in the Japanese and Vatican embassies in Jakarta. Several lists of persons taken into custody from April to June 1989 were received, including a list of 25 detainees compiled by Bishop Belo. The detainees had been "tortured, hit, beaten, burnt with cigarettes and given electric shocks". The bishop also wrote that "Colonel Bimo, chief of intelligence of Koopskam [the special security command for East Timor] has confirmed that these prisoners and detainees have been taken into custody in the interests of the Pope's security".

19. Mr. H.J.C. Princen, chairman of the Indonesian Institute for the Defence of Human Rights, wrote three times to the commander-in-chief of the Indonesian armed forces in June 1989 about the many reported arrests and executions in East Timor, asking for an invesigation. The letters were not answered, though Mr. Princen was called in for questioning by the army.

20. On 6 October 1989, Mr. Princen again wrote to the armed forces commander-in-chief, giving details of 26 executions since November 1988 and again calling for an investigation. This letter has also remained unanswered.

21. In view of mounting concern about conditions in East Timor, Mr. Princen was accredited by the Regional Council on Human Rights in Asia to present a statement to the forty-fourth session of the United Nations Sub-Commission for the Prevention of Discrimination and Protection of Minorities; he was refused permission to leave Indonesia for this purpose.

Conclusions

22. The human rights situation in East Timor has further deteriorated since the Sub-Commission adopted its resolution 1989/7 on 31 August 1989. Liberation therefore urges the Commission:

(a) To call on the Indonesian authorities to halt the abuses;

(b) To increase pressure on Indonesia to allow international human rights organizations to visit East Timor and send observers to any political trials held there;

(c) To undertake a special investigation of the situation in East Timor.

23. Finally, it urges the Commission to place East Timor on its agenda for annual consideration in order to keep the situation under constant review.